

WEBB COUNTY, TEXAS

COMMISSIONERS COURT AGENDA AS AMENDED

PUBLIC NOTICE

COMMISSIONERS COURT MEETING WEBB COUNTY COURTHOUSE 1000 HOUSTON STREET, 2ND FLOOR LAREDO, TEXAS 78040 **OCTOBER 25, 2004 AND CONTINUING TO OCTOBER 26, 2004**

- 1. CALL TO ORDER BY THE HONORABLE COUNTY JUDGE, LOUIS H. BRUNI
- 2. ROLL CALL BY THE HONORABLE COUNTY CLERK, MARGIE IBARRA
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF MINUTES FOR SEPTEMBER 13, 2004, SEPTEMBER 17, 2004 AND SEPTEMBER 24, 2004
- 5. APPROVAL OF BILLS, PAYROLL AND MONTHLY **REPORTS**
- 6. COMMUNICATIONS
- 7. PUBLIC COMMENT- This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

LOUIS H. BRUNI

Webb County Judge (956) 523-4600

JERRY VASQUEZ

Commissioner, Precinct 1 (956) 523-4617

JUDITH G. GUTIERREZ

Commissioner, Precinct 2 (956) 523-4624

FELIX VELASQUEZ

Commissioner, Precinct 3 (956) 523-4625

DAVID R. CORTEZ

Commissioner, Precinct 4 (956) 523-4652

MARGIE IBARRA

Webb County Clerk (956) 523-4251

HOMERO RAMIREZ

Webb County Attorney (956) 523-4044

LEO FLORES

Webb County Auditor (956) 523-4016

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

LOUIS H. BRUNI, WEBB COUNTY JUDGE

- **8.** Status report from Road & Bridge on county road projects.
- **9.** Status report on the new Justice of the Peace building in South Laredo.
- **10.** Status report from the Laredo Veterans Coalition.
- **11.** Status report on the inter-local agreement between the City of Laredo and Webb County on the extension of water lines to the Colonias on Highway 359.
- **12.** Proclamation declaring October as "13,000 years of human history in Texas. One month out of the year. Texas Archeology Month."

DAVID R. CORTEZ, COMMISSIONER PRECINCT 4

13. Request that Mr. Raul Elizondo, Director of Facilities, provide the Webb County Commissioners Court with a cost estimate to complete minor repairs for the horse stalls at L.I.F.E. Downs.

FELIX VELASQUEZ, COMMISSIONER PRECINCT 3

- 14. Discussion and possible action to solicit request for proposals for the sale of the old detention center located off of Casa Verde Rd. [Co-Sponsored by Judge Louis H. Bruni]
- 15. Discussion and possible action to transfer slot #1526 Indigent Deputy Director to the Human Resources Department. [Co-Sponsored by Commissioner David R. Cortez]

JERRY VASQUEZ, COMMISSIONER PRECINCT 1

- 16. Discussion and possible action to order the County Treasurer to refund the increase in health insurance premiums deducted from employees for the pay period ended September 30, 2004 but paid on October 8, 2004. The increase in health insurance premiums was approved by Commissioners Court to take effect on October 1, 2004 and not before.
- 17. Status report on demand letter sent to Margarito Benavides for money owed on the hunting lease at Cuchilla and Lomas Pasture-Texas School Lands.

COMMISSIONERS COURT

18. Discussion and possible action to select a date for Webb County Department Head evaluations.

MEDIA BREAK	

COMMUNITY ACTION AGENCY

19. Discussion and possible action to approve "Category B" Elections, as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency due to current vacancies (the Advisory Board shall be composed of membership that complies with the Community Services Block Grant Policy Issuance #95-2.2 dated May 17, 1995. The "Category B" shall consist of members who will be elected by the residents in the areas of the County they will represent). Elections will be held in November 2004, for areas of the County they will represent). Elections will be held in November 2004, for Representative and Alternate for the area El Cuatro.

COUNTY ATTORNEY

- **20.** Discussion and possible action to amend the Third Party Funding Agreement with Ruthe B. Cowl Rehabilitation Center increasing the contract amount to NINETY THOUSAND DOLLARS (\$90,000.00) and authorizing the County Judge to execute all relevant documents.
- 21. Discussion and possible action to enter into amendment number 1 with the Comptroller of Public Accounts, State Energy Conservation Office Agreement Interlocal Cooperation Act, Clean Cities Coordinator Program by extending the contract to December 31, 2004, reimbursable by the State for up to TEN THOUSAND DOLLARS (\$10,000.00) and authorizing the County Judge to sign all relevant documents.
- 22. Discussion and possible action to enter into a subcontract with the Laredo Chamber of Commerce to carry out the requirements of the State Energy Conservation Office Agreement Interlocal Cooperation Act, Clean Cities Coordinator Program, reimbursable by the State for up to TEN THOUSAND DOLLARS (\$10,000.00) as amended through December 31, 2004 and authorizing the County Judge to sign all relevant documents.
- 23. Discussion and possible action to enter into an equipment modification service contract with IBM at a cost not to exceed FIVE HUNDRED DOLLARS (\$500.00), and authorizing the Webb County Judge to execute all relevant documents. IBM will be installing one (1) Modem Card at the Webb County Tax Assessors/ Collectors Office. [Requested by Webb County Tax Assessor/Collector Account No. 001-0700-6022]

- 24. Discussion and possible action to enter into an Aid Agreement between Webb County for the Community Action Agency and TXU Energy Retail Company, LP for the "TXU Energy Aid Program" whereby TXU Energy Retail Company will provide funding to Webb County Community Action Agency to be utilized to help the needy pay home energy expenses for a term beginning October 1, 2004 and with a month-to-month automatic renewal and authorizing the County Judge to execute all relevant documents. [Requested by Community Action Agency]
- **25.** Discussion and possible action to authorize the Law Offices of Francisco J. Saldana, Jr., to order additional title reports for the Corralitos Subdivision at a cost of TWO HUNDRED SEVENTY DOLLARS (\$270.00) per lot and authorizing the County Judge to sign all relevant documents.
- 26. Discussion and possible action to rescind the Court's action of October 12, 2004 approving a two (2) year medical services contract with Dr. Arturo G. Garza-Gongora M.D. (in the amount of \$85,000.00), and approving a two-year (October 1, 2004 through September 30, 2006), medical services contract with Dr. Garza-Gongora in the amount of ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000.00) subject to a 30 day termination clause, and authorizing the County Judge to sign all relevant documents. [Requested by Sheriff's Department]
- 27. Discussion and possible action to accept one (1) right- of- way, and public utility easement out of Pueblo Nuevo Subdivision, one (1) right of way and public utility easement, out of D-5 Acres Subdivision, one (1) right of way and public utility easement out of Antonio Santos Subdivision, 2 rights of way and public utility easements out Ranchitos IV Los Minerales Annex, and 20 rights of way and utility easements out of Ranchitos Los Centenarios Subdivision and authorizing the County Judge to sign all relevant documents.
- 28. Discussion and possible action to pass an order and resolution renaming Farm to Market Road 255 (FM 255), from its inception at the Columbia Solidarity Bridge to its intersection with Interstate Highway 35 (IH 35) at mile marker 24, to "State Highway 255 (SH 255)".
- 29. Discussion and possible action to enter into a 36 month SBC PremierSERVSM Dedicated Internet Access Agreement with SBC Internet Services for an Essential-Router PAK ATM IMA 3.0 Mbps, Domain Service, Cisco 2610XM IMA at a monthly cost of ONE THOUSAND THREE HUNDRED SIXTY DOLLARS AND TEN CENTS (\$1,360.10) and authorizing the County Judge to sign all relevant documents.

30. Discussion and possible action to enter into Third Party Funding Agreements as Follow:

General Fund:

Laredo-Webb County Food Bank d.b.a South Texas Food Bank	\$18,750.00
Bringing Everyone Special Together- BEST -TIME Bank Ruthe B. Cowl	\$1,880.00 \$90,000.00
Stop Child Abuse and Neglect Inc., (SCAN) TAMIU Classical Guitar American Red Cross, Webb County Chapter Habitat for Humanity Boy Scouts of America	\$3,750.00 \$3,370.00 \$5,630.00 \$15,000.00 \$3,750.00
Hotel Motel Fund:	
Mexican Cultural Institute	\$8,400.00
Laredo Center for the Arts	\$8,400.00
Laredo Little Theater	\$4,200.00
LULAC Council No. 7	\$5,000.00
Border Olympics	\$8,400.00
Laredo Heat	\$8,400.00
Laredo Philharmonic Chorale	\$5,000.00
Laredo Philharmonic Orchestra	\$8,400.00
and authorizing the County Judge to execute all relevant do	cuments.

31. Discussion and possible action to enter into a professional services contract with Vertex Targeted Opportunities to submit a claim to the federal government for Federal Financial Participation in the housing of inmates at the Webb County Jail, at a rate of 11% for any funds reimbursed by the government up to \$115,000.00 and 22% of any funds recovered greater than \$115,000.00 for a one year period beginning October 1,, 2004 through September 30, 2005; ordering an exemption from competitive bidding pursuant to §262.024 Texas Local Government Code and authorizing the County Judge to sign all relevant documents.

DISTRICT ATTORNEY

32. Advising the Commissioners Court of an addition of a vehicle to our fleet. The addition is a 2004 Ford Expedition, VIN #1FMFU17L14LA05888 to be used by the Task Force Investigators in the fight against drugs.

ECONOMIC DEVELOPMENT

- **33.** Discussion and possible action to fill slot # 2239, Housing Rehab Coordinator, at an annual salary of up to \$25,000.00, effective November 12, 2004, and to solicit applications to fill slot #1383, Grant Writer (I.T.) at a salary comparable to experience. (Account # 001-0104-5001 Payroll)
- **34.** Discussion and possible action to approve a Resolution Authorizing the filing of an Indigent Defense Grant Program application with the Texas Task Force on Indigent Defense; and authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Indigent Defense Grant Program.
- **35.** Discussion and possible action to approve Change Order #2 to the C G Construction Contract (Rio Bravo Community Park) by adding Twenty-five thousand eight hundred ten and ninety-two cents (\$25,810.92) for additional work at the Community Park.(Account #660-6111-8601)

ENGINEER

- **36.** Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to advertise "Request for Proposals" for Engineering services to perform soil testing & analysis, provide recommendations for the design of the foundation and prepare preliminary environmental Study for the Juvenile Youth Village, and any other matters incident thereto.
- **37.** Discussion and possible action authorizing the County Judge to execute a 12 foot by 262 foot utility easement with AEP/CPL for the Regional Wastewater Treatment Plant.
- **38.** Presentation by Wilbur Smith Associates on the Proposed Laredo Metropolitan Transportation Plan.
- **39.** Discussion and Possible Action Authorizing Acceptance and Final Payment of the retainage in the amount of \$26,666.65 to Zertuche Construction for the Oilton & Mirando Community Center Parks.

INDIGENT SERVICES

40. Discussion and possible action to advertise and fill slot #1526 for the Deputy Director position for the Indigent Services Program.

PUBLIC DEFENDERS

41. Discussion and possible action to adopt a resolution authorizing the Public Defender to initiate the application process for the Webb County Indigent Defense Grant Program.

PURCHASING AGENT

- **42.** Discussion and possible action to ratify the emergency services of Sunbelt Air Conditioning to replace A/C compressor for the Law Enforcement Center for an amount of \$2,084.00.
- **43.** Discussion and possible action to award Bid No. 2004-64 Rio Bravo Subdivision Paving and Storm Drainage Improvement-Phase I only Section A and Section B to Gilbert Texas Construction, L.P. in the amount of \$1,582,261.20. Funding Source: T.C.D.P. Contract No. 722-961 & Rio Bravo Border Colonia Program Account Number: 656-8001-8801-14 Balance: \$1,847,175.00.
- **44.** Discussion and possible action to authorize the Purchasing Agent to award the Rio Bravo Housing Rehabilitation Program Contracts to the lowest bidders:

Bid 2004-66	Santos Sierra Painting
Bid 2004-67	Two Sons Construction
Bid 2004-68	Frontier Construction
Bid 2004-69	Southern Mill Works
Bid 2004-70	Noah's Construction
Bid 2004-71	Frontier Construction

- **45.** Discussion and possible action to authorize the Purchasing Agent to purchase Ten (10) Mitel Superset 4025 for the Law Enforcement Center to replace phones in the jail area for a total amount of \$4,250.00. (Account #001-2060-6205)
- **46.** Discussion and possible action to authorize the Purchasing Agent to award Bid for Roof Repairs for County Jail Facility to the lowest bidder, G&R Roofing.

- **47.** Discussion and possible action to authorize the Purchasing Agent to purchase items for the repair and maintenance of vehicle Unit 2713 for the Law Enforcement Center for a total amount of 2,690.58. (001-2001-6403)
- **48.** Discussion and possible action to authorize the Purchasing Agent to purchase equipment to tract information from the main frame and internet for the M.I.S. Department from Software Medium in the amount of \$9,859.00. (Account #001-0500-6402)
- **49.** Discussion and possible action for the Commissioners Court to authorize the Purchasing Agent to purchase 200 Access Cards to the Administration Building from Laredo Alarm Systems, Inc. for the Law Enforcement Center in the amount of \$2,000.00. (Account #001-2001-6205)
- **50.** Discussion and possible action for the Commissioners' Court to authorize the Purchasing Agent to hire the services of Simplex Grinnell LP to replace 10 duct detectors and programs at the Justice center requested by the Building Maintenance Department for an estimated cost of \$6,500.00. (Account 001-0106-6401)

RISK MANAGEMENT

51. Discussion and possible action to accept a proposal from Professional Actuarial Services, Inc. for the Actuarial Report of Webb County's Self-Funded Workers' Compensation Program as of September 30, 2004. Requesting an exemption from Section 262.023 of the Local Government Code (Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. (Account #817-0105-6022 Professional Services)

SHERIFF

52. Discussion and possible action to approve the following expenditures.

Brooks County	\$26,250.00
Corpus Christi Harley Davidson	\$ 1,929.58
Frio County	\$ 2,700.00
Bob Barker	\$ 1,712.50
Positive Promotions	\$ 862.04
Laredo Carpet Cleaning	\$ 720.36
Accutronics	\$ 1,495.00

EXECUTIVE SESSION

- 53. Discussion and possible action to authorize the County Attorney to negotiate the compensation/price to be paid the School Land Fund for two flow line easements for Webb County School Land Wells Numbers 1383L9 and 1383L10 requested by Cerrito Gathering Co., Ltd., and if the compensation is consistent with the Court's price for said easements authorizing the County Judge to sign all documents. [Executive/Closed Meeting requested pursuant to §551.072, Texas Government Code, Deliberation Regarding Real Property]
- **54.** Discussion and possible action regarding payment of medical expenses for spouse and child of employee who was misinformed by Risk Management Department regarding coverage for pre-existing medical condition of spouse in connection with "opt-out" provisions of the Health Insurance Portability and Accountability Act ("HIPAA").
 - Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).
- 55. Discussion and possible action related to litigation concerning 17-acre tract known as One River Park Subdivision. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]
- 56. Discussion and possible action related to litigation threatened by the Texas Commission on Jail Standards. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]

- 57. Discussion and possible action related to possible litigation concerning Webb County Bridge project. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]
- 58. Discussion and possible action to amend engagement with Mejia & Company, PLLC, to include appeal of denied abatement and authorizing the County Judge to execute all relevant documents. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 59. Discussion and possible action relating to proposed settlement agreement with the Department of Justice relating to Federal ADA Compliance. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]
- **60.** Adjournment

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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5 DISABILIT	TY ACCESS	STATE	/JENT 🕏

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

	(555) 525522.		
DATED THIS	_ DAY OF OCTOB	ER, 2004.	
By: YOLANDA L. CAI COURT ADMINIS	RRILLO STRATOR		
CER	TIFICATION OF N	OTICE AND POS	<u>TING</u>
I, the undersigned, Comeeting of the Webb of said notice, and the bulletin board at the readily accessible to , 20 at least 72 hours pre	County Commission County Commission of Courthouse door of the general public 004 and said notice	oners Court, is a to and correct copy of f Webb County, Te at all times on the e remained so post	rue and correct copy f said notice on the exas, at a place day of ted continuously for
DATED THIS	C		•
COUNTY CLERK, W			